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FROM: PS/SECRETARY OF STATE
27 NOVEMBER 1992

cc: PS/Secretary of State (L&B)
PS/Mr Mates (L,B&DFP)
PS/PUS (L&B)
PS/Mr Fell
Mr Ledlie
Mr Deverell
Mr Lyon
Mr Steele
Mr Leach
Mr Caine

11/11
35/12

1087/11
30 NOV 1992
CENT SEC
Mr Wiggins
1. cc Mr Nacoko
2. Mr [unclear]

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- B/M
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- B
- B

Mr Lavery - B

DR HENDRON MP: FATAL SHOOTING OF MR JORDAN

Following an exchange at questions yesterday afternoon the Secretary of State saw Dr Hendron in his room at the Commons for quarter of an hour at 4.20 pm about last night's fatal shooting by a police officer of an unarmed member of the IRA in West Belfast. Mr Michael Brown MP, Mr Caine and I were also present.

2. The Secretary of State was very grateful for the briefing which you had supplied for questions on the role of ICPC. He took Dr Hendron through the steps which the Chief Constable and the ICPC had now taken and explained the powers available to the Commission under the 1987 order. The Secretary of State noted that the procedure was inevitably different from what had applied in the case of McBride (where charges had been brought within 21 hours) because in this case even if the evidence suggested that a charge was justified (and he stressed it was not for him to offer any comment on that) it could not be brought until the ICPC supervised investigation was complete.

3. Dr Hendron expressed himself very discontent with what had occurred. He was a strong supporter of the police and had praised their actions in the recent arrests following UDA attacks. But what had happened the previous night had been a serious set back to the reputation of the police amongst the nationalist community. Ordinary people simply could not understand why Mr Jordan was shot when he could have been apprehended. The police had not helped

CONFIDENTIAL

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their own case by being slow in issuing a statement. Indeed, Dr Hendron said that he had found it very difficult to find anything out. More generally it was unsatisfactory that the police were responsible for investigating their own actions. People on the streets would see the ICPC's involvement as a futile exercise. He had himself twenty years visiting Castlereagh as a doctor and despite many disturbing cases no policeman had ever been convicted of mistreating detainees there.

4. The Secretary of State said that he did not accept Dr Hendron's strictures over the fact that it had taken the police three hours to issue a statement. In situations of that kind it was crucial to check the facts before making any statement. Nor could he accept what Dr Hendron said about the ICPC. There were those (and he was not including Dr Hendron in this) who wanted to shape the facts according to their own prejudices. That was not a proper basis for investigation. The ICPC were an independent body and had wide ranging powers, including the power to require the Chief Constable to bring in a police officer from another force if the Commission was not satisfied with the person appointed.

5. Dr Hendron said that it would have been much more satisfactory if a police officer had been brought over from England. The Secretary of State confirmed that was a matter which Dr Hendron could properly pursue with a Commission if he so wished. In response to a question from Dr Hendron the Secretary of State informed him that the policeman appointed to the investigation for the RUC was Chief Superintendent McBurney from the Southern Area.

2

Signed

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W R FITTALL
PS/Secretary of State
OAB Extn 6462
27 November 1992

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